

July 20, 2004 CPC



**STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION**

04PS0369

**Mary Katherine Nelson
(Tabby & Pup Cat & Dog Supplies)**

**Midlothian Magisterial District
East line of Crowder Drive**

REQUEST: Schematic approval to extend the time limitation to exceptions to parking and driveway paving requirements. Specifically, these exceptions are listed in Condition 1 of 89SN0139, addressing number of parking spaces and paving requirements.

RECOMMENDATION

Staff recommends approval of the existing improvements indefinitely for the following reasons:

- A. The quantity and condition of the parking has not been a nuisance to the surrounding area.
- B. Conditions of zoning will require that if any need for additional parking arises, compliance with the Zoning Ordinance will be required as it relates to paving and parking standards.

(NOTE: This exception will become null and void at the time of any commercial and/or office expansion, or if three (3) parking spaces are no longer deemed sufficient for this use.)

GENERAL INFORMATION

Associated Public Hearing Cases:

87S092 - Weegie Thompson
89SN0139 - Willis H. Thompson
98SN0206 - Mary Katherine Nelson

Applicant:

Mary Katherine Nelson

Location:

East line of Crowder Drive, better known as 1201 Crowder Drive. Tax ID 729-708-4468 (Sheet 5).

Existing Zoning and Land Use:

R-7 with Conditional Use Planned Development; Commercial

Adjacent Zoning and Land Use:

North - R-7; Single family residential
South - C-2; Office
East - R-7; Single family residential
West - R-7; Single family residential

Size:

0.7 acre

BACKGROUND

Zoning Case 87S092 was a request for Conditional Use Planned Development to permit an office complex in an R-7 District. In conjunction with approval of this request, exceptions were granted to paving and parking requirements, subject to certain conditions.

Zoning Case 89SN0139 was a request to amend the above mentioned Conditional Use Planned Development, relating to the paving, parking, and use exceptions. The applicable portions of this condition is listed below:

Zoning Case 89SN0139 Condition 1 (part of):

“In conjunction with the approval of this request, an exception to the requirement that parking and driveway areas be paved shall be granted. Further, an exception

to the required number of parking spaces shall be granted. These exceptions shall be granted for a period not to exceed five (5) years from the date of approval of this request, or until additional office space is developed, whichever occurs first. A minimum of three (3) parking spaces shall be provided for the use of the existing residence. Should the number of spaces prove to be insufficient to accommodate the office and/or antique shop use, additional parking spaces, per requirements of the Zoning Ordinance shall be provided upon request by the Planning Department. Non-paved parking areas and driveways shall be graveled with a minimum of six (6) inches of #21 or #21A stone."

"At the end of five (5) years from the date of approval of this request, or upon development of additional office and/or commercial space, the site shall be brought into compliance with conditions stated herein, as well as requirements of the Zoning Ordinance. At the end of five (5) years, if no additional office and/or commercial space has been developed, the time period may be extended through schematic plan review. Prior to development of additional office and/or commercial space, an overall Master Plan which conforms to the conditions stated herein, as well as requirements of the Zoning Ordinance, shall be submitted to the Planning Commission for approval."

Zoning Case 98SN0206 was a request to amend the permitted uses on the property, to allow the pet store and grooming operation that exists on this site today.

The operators of the business extended the paving and parking exceptions for five (5) years in 1993 and 1999. The applicant is requesting an extension to this time limit. Planning Department records do not show any history of zoning violations on this property.

CONCLUSIONS

The exception to parking and paving requirements has not had an adverse effect on the area, therefore staff recommends approval of the applicant's request with no time restriction. It should be noted that any expansion of commercial or office uses on the property will void this exception and require the site to fully comply with the Zoning Ordinance and conditions of zoning.

1201 Crowder Drive
Midlothian, VA 23113
May 17, 2004

Planning Commission
Chesterfield County
P.O. Box 40
Chesterfield, VA 23832

To the Planning Commission:

I am requesting an extension of the time limit for exceptions to development standards, relative to parking and paving requirements on the property at 1201 Crowder Drive. This would continue to allow three parking spaces and the use of gravel for the driveway and parking area.

There has been no new office or commercial development in the immediate area. Three parking spaces are still sufficient.

Thank you for your consideration.

Sincerely,

Kay Nelson

Kay Nelson

RECEIVED

MAY 18 2004

DIRECTOR
PLANNING DEPARTMENT